

IDAPA 02 – DEPARTMENT OF AGRICULTURE

02.06.09 - RULES GOVERNING INVASIVE SPECIES

DOCKET NO. 02-0609-1301

NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2014 Idaho State Legislature for final approval. The pending rule becomes final and effective at the conclusion of the legislative session, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Sections 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section 22-1907 Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change.

The proposed rule amendments will add three definitions (“Energy Crop Invasive Species,” “Facility” and “Trap Crop Invasive Species.”); and create a method of application for Energy Crop Invasive Species, Possession/Production Permits, as well as for Trap Crop Invasive Species Permits. The proposed rule will also remove the transport permit requirement for bullfrogs and extend transport permit validity to five (5) years for Exempt Species. It will also update scientific and common names and add hybrids of certain listed invasive species.

The pending rule is being adopted as proposed. The complete text of the proposed rule was published in the August 7, 2013 Idaho Administrative Bulletin, Volume 13-8, page 16-28.

IDAHO CODE SECTION 22-101A STATEMENT: This rule does not regulate an activity not already regulated by the federal government, nor is it broader in scope or more stringent than the federal regulations.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year as a result of this rulemaking: ISDA does not anticipate any fiscal impact from the changes to be made to the Rule during the rulemaking.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this pending rule, contact Matt Voile, Section Manager, (208) 332-8620.

DATED this 6th day of November, 2013.

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